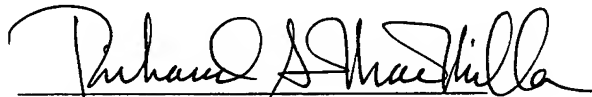


REMARKS

Independent Claim 5 has been amended to more specifically define the structure of the shock absorbing cushion of the claimed tap dancing shoe. Specifically, the shock absorbing cushion is disposed within the shoe cavity and extends from a front end and a ball portion located above the front portion of the top surface of the sole through an intermediate portion to a rear portion located above the rear portion of the top surface of the sole. The front end and ball portion of the shock absorbing cushion are thicker than the intermediate portion and the rear portion of the shock absorbing cushion. The shock absorbing cushion is permanently secured to the top surface of the sole.

The Stafford reference does not show or suggest this structure. Rather, the Stafford reference discloses a cushion insole device 22 having a generally rigid upper layer 24 and a resilient and compressible lower layer 26. The generally rigid upper layer 24 includes relatively thicker and rigid heel and toe portions 36, 38 that are interconnected to an intermediate relatively thinner and flexible portion 40. Thus, as clearly shown in Fig. 7, the compressible lower layer 26 of the cushion insole device 22 is, in fact, relatively thin in the heel and toe portions 36, 38 in comparison with the intermediate portion 40. Thus, the Stafford reference teaches away from the subject matter recited in Claim 9.

Respectfully submitted,



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